

**DEPARTMENT OF THE INTERIOR****Office of Surface Mining Reclamation and Enforcement****30 CFR Part 931****New Mexico Regulatory Program**

**AGENCY:** Office of Surface Mining Reclamation and Enforcement (OSM), Interior.

**ACTION:** Withdrawal of proposed amendment.

**SUMMARY:** OSM is announcing the withdrawal of a proposed amendment to the New Mexico regulatory program (hereinafter, the "New Mexico program") under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The amendment consisted of revisions to and additions of rules pertaining to definitions, designation of lands unsuitable for surface coal mining, permit application information, minimum requirements for reclamation and operation plans in permit applications, review and approval or denial of permit applications and permit conditions, performance standards for coal exploration, and performance standards for surface coal mining operations.

**DATES:** This withdrawal is effective July 21, 1995.

**FOR FURTHER INFORMATION CONTACT:** Arthur W. Abbs, Acting Director, Albuquerque Field Office, Telephone: (505) 766-1486.

**SUPPLEMENTARY INFORMATION:** By letter dated April 13, 1995, New Mexico submitted a proposed amendment to its program (administrative record No. NM-739) pursuant to SMCRA (30 U.S.C. 1201 *et seq.*). New Mexico submitted the proposed amendment in response to the program amendment requirements at 30 CFR 931.16 (c), (d), and (f) through (s) (56 FR 67520, December 31, 1991, and 58 FR 65907, December 17, 1993) and at its own initiative. The provisions of the New Mexico rules that New Mexico proposed to revise were: Coal Surface Mining Commission (CSMC) Rule 80-1-5, definitions; CSMC rule 80-1-4-15, designation of lands unsuitable for surface coal mining; CSMC Rule 80-1-7-14, permit application information; CSMC Rule 80-1-9-39, minimum requirements for reclamation and operation plans in permit applications; CSMC Rules 80-1-11-17, 80-1-11-19, 80-1-11-20, and 80-1-11-29, review of and approval or denial of permit applications and permit conditions; CSMC Rule 80-1-19-15, performance standards for coal exploration; and CSMC Rules 80-1-20-41 and 49, 80-1-

20-82, 80-1-20-89, 80-1-20-93, 80-1-20-97, 80-1-20-116 and 117, 80-1-20-124, and 80-1-20-150, performance standards for surface coal mining operations.

OSM announced receipt of the proposed amendment in the May 5, 1995 **Federal Register** (60 FR 22332), provided an opportunity for a public hearing or meeting on its substantive adequacy, and invited public comment on its adequacy (administrative record No. NM-741). Because no one requested a public hearing or meeting, none was held. The public comment period ended on June 5, 1995.

During its review of the amendment, OSM identified concerns related to several provisions of New Mexico's proposed rules. OSM notified New Mexico of these concerns by letter dated June 22, 1995 (administrative record No. NM-747).

In response to OSM's concerns, New Mexico, by letter dated July 6, 1995, requested that the proposed amendment be withdrawn (administrative record No. NM-752). New Mexico indicated that its program requires that substantial rule revisions be reviewed and approved by the CSMC at a public hearing prior to submission to OSM. New Mexico stated that it would resubmit the amendment at a later date for approval as part of the New Mexico program after revisions have been approved by the CSMC.

Therefore, the proposed amendment announced in the May 5, 1995, publication of the **Federal Register** is withdrawn.

**List of Subjects in 30 CFR Part 331**

Intergovernmental relations, Surface mining, Underground mining.

Dated: July 14, 1995.

**Russell F. Price,**

*Acting Regional Director, Western Regional Coordinating Center.*

[FR Doc. 95-17987 Filed 7-20-95; 8:45 am]

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**FEDERAL COMMUNICATIONS COMMISSION****47 CFR Part 73**

[MM Docket No. 94-100, RM-8509; RM-8549; RM-8550]

**Radio Broadcasting Services; Okmulgee, Nowata, Pawhuska, Bartlesville, Bixby, Oklahoma, Rogers, AR**

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule, order to show cause.

**SUMMARY:** The Commission requests comments on an Order to Show Cause issued to KRIG, Inc. as to why its license for Station KRIG, Nowata, Oklahoma, should not be modified to specify operation on Channel 285A.

**DATES:** Comments must be filed on or before August 31, 1995.

**ADDRESSES:** Federal Communications Commission, Washington, DC 20554.

**FOR FURTHER INFORMATION CONTACT:** Leslie K. Shapiro, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's *Order to Show Cause*, MM Docket No. 94-100, adopted July 6, 1995, and released July 17, 1995. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Services, Inc., (202) 857-3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

**List of Subjects in 47 CFR Part 73**

Radio broadcasting.

Federal Communications Commission.

**John A Karousos,**

*Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.*

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**47 CFR Part 73**

[MM Docket No. 95-109, RM-8665]

**Radio Broadcasting Services; Coolidge and Gilbert, AZ**

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.